



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Western Catering, Inc.

File: B-259974

Date: January 23, 1995

DECISION

Western Catering, Inc. protests the determination of the Department of Agriculture, Forest Service, not to renew contract No. 53-024B-4-854.

We dismiss the protest because a contractor has no legal right to compel the exercise of a contract option.

Contract options are exercised solely at the discretion of the government, and a contractor cannot compel an agency to exercise an option in its contract. California Shorthand Reporting, B-236680, Dec. 22, 1989, 89-2 CPD ¶ 584. Those who bid on contracts containing option provisions assume the risk that the agency might not exercise the option. Arlington Public Schools, B-228518, Jan. 11, 1988, 88-1 CPD ¶ 16.

Here, Western Catering is challenging the agency's determination not to renew its contract based on alleged deficiencies in Western Catering's current contract performance. As stated above, this is clearly not an issue reviewable by our Office.

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